

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

Shu Hua Qin,

Plaintiff

v.

William Taylor, et al.,

Defendants

2:16-cv-00189-JAD-NJK

**Order Remanding Case for Want of  
Subject-matter Jurisdiction**

Defendant William Taylor removed this unlawful-detainer action from the Las Vegas Justice Court to this court in February 2016 and seeks pauper status.<sup>1</sup> Taylor did not attach to his removal notice the documents from the state-court action as 28 U.S.C. § 1446(a) requires,<sup>2</sup> but he claims that this court’s jurisdiction arises under 28 U.S.C. § 1443 because this is a civil-rights case and he is being deprived of due process.<sup>3</sup>

Because a defendant “cannot remove a state-law claim from state to federal court even if his defense is based entirely on federal law,”<sup>4</sup> I gave Taylor until October 7, 2016, to show cause why this case should not be remanded back to state court for lack of subject-matter jurisdiction. I warned Taylor that, if he did not “file a response to this order by that date or fail[ed] to demonstrate that federal subject-matter jurisdiction exists, this case w[ould] be remanded without further notice.”<sup>5</sup>

October 7, 2016, came and went without any response to my OSC or a request to extend the deadline for response. Accordingly, because it appears that this court lacks subject-matter

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<sup>1</sup> ECF No. 1.

<sup>2</sup> 28 U.S.C. § 1446(a) (explaining that the notice of removal must be filed “together with a copy of all process, pleadings, and orders served upon such defendant”).

<sup>3</sup> ECF No. 1-1 at 3–4.

<sup>4</sup> *Hunter v. United Van Lines*, 746 F.2d 635, 639 (9th Cir. 1984).

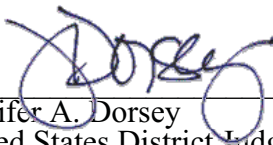
<sup>5</sup> ECF No. 4.

1 jurisdiction over this justice-court eviction case and that removal was therefore improper,

2 IT IS HEREBY ORDERED that **this case is REMANDED back to the Justice Court,**  
3 **Las Vegas Township, Clark County, Nevada, Case No. 15E009327.** The Clerk of Court is  
4 directed to CLOSE THIS CASE.

5 IT IS FURTHER ORDERED that Taylor's Application to Proceed Without Prepaying  
6 Fees or Costs [ECF No. 1] is **DENIED as moot.**

7 Dated October 24, 2016

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Jennifer A. Dorsey  
United States District Judge